GOVERNMENTOF ANDHRA PRADESH

A B S T R A C T

Public Services – Agriculture & Cooperation Department – ACB (Trap) Case – Sri B.Jagannadha Rao, Agriculture Extension Officer, Gr-II, O/o Agriculture Officer, Chodavaram Mandal, Visakhapatnam District – Trapped by ACB authorities, when demanded and accepted bribe amount of Rs.19,000/- – Common Proceedings under 24 of A.P.C.S. (CC&A) Rules, 1991 initiated - Articles of charge – Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Rt.No. 207 **Dated: 31/03/2023**

Read the following:

1. From the Deputy Superintendent of Police, Anti Corruption Bureau, Vishakhapatnam Range, Radio Message dt.26.04.2019, 27.04.2019 & 29.04.2019.
2. Proceedings Rc.No.Estt.(2)31/2019, dt.29.04.2019 of the Joint Director of Agriculture, Visakhapatnam.
3. Proceedings No.Vig.II(5)72/2019, dt.30.04.2019 of the Special Commissioner of Agriculture, A.P., Guntur.
4. Govt.Memo.No.AGC01-AGRI/95/2019, A&C (Vig.I) Dept., dt.01.05.2019.
5. G.O.Rt.No.74, A & C (Vig.I) Dept., dt.04.02.2022.
6. G.O.Rt.No.75, A & C (Vig.I) Dept., dt.04.02.2022.
7. From the Director General, Anti-Corruption Bureau, A.P., Vijayawada, Letter Rc.No.38/RCT-WVP/2019-S.11, dt.26.07.2022.
8. G.O.Ms.No.58, A&C (Vig.I) Dept., dt.22.10.2022.
9. Govt.Memo.No.AGC01-AGRI/95/2019/Vig-I(1), A & C(Vig.I)Dept., dt.22.10.2022
10. Govt.Memo.No.AGC01-AGRI/95/2019/Vig-I(1) & (2), A & C(Vig.I)Dept., dt.22.10.2022 and reminder dt.06.03.2023.
11. From the Director General, Anti-Corruption Bureau, A.P., Vijayawada, Letter Rc.No.38/RCT-WVP/2019-S-11, dt13.03.2023 & 20.03.2023.

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O R D E R:

It is proposed to hold an enquiry against the Sri B.Jagannadha Rao, Agriculture Extension Officer, Gr-II, O/o Agriculture Officer, Chodavaram Mandal, Visakhapatnam District, in accordance with the procedure laid down in Rule 20 of the A.P.Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). Statement of imputation of misconduct or misbehaviour on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri B.Jagannadha Rao, Agriculture Extension Officer, Gr-II, O/o Agriculture Officer, Chodavaram Mandal, Visakhapatnam District, is directed to submit a Written Statement of Defense (WSD) within (10) days of the receipt of this order.

4. Sri B.Jagannadha Rao, Agriculture Extension Officer, Gr-II, O/o Agriculture Officer, Chodavaram Mandal, Visakhapatnam District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri B.Jagannadha Rao, Agriculture Extension Officer, Gr-II, O/o Agriculture Officer, Chodavaram Mandal, Visakhapatnam District, is further informed that if he does not submit his Written Statement of Defense (WSD) on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him exparte.

(P.T.O)

6. Attention of Sri B.Jagannadha Rao, Agriculture Extension Officer, Gr-II, O/o Agriculture Officer, Chodavaram Mandal, Visakhapatnam District, is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his/her interest in respect of matters pertaining to his/her service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri B.Jagannadha Rao, Agriculture Extension Officer, Gr-II, O/o Agriculture Officer, Chodavaram Mandal, Visakhapatnam District, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P.Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
CHIEF COMMISSIONER, RBKs &
PRINCIPAL SECRETARY TO GOVERNMENT

To:

Sri B.Jagannadha Rao, Agriculture Extension Officer, Gr-II, O/o Agriculture Officer, Chodavaram Mandal, Visakhapatnam District.
(Through the Special Commissioner of Agriculture, A.P., Guntur)

Copy to:

The Special Commissioner of Agriculture, A.P., Guntur.
(With a request to serve the original G.O. on the Charged Officer and obtain his dated acknowledgement on the Xerox copy and furnish the same along with his Written Statement of Defense (WSD) to the Government)
The Director General, ACB, Pandit Nehru Bus Station,
NTR Administrative Block, 2nd Floor, Vijayawada, A.P.
Sf./Sc.

// FORWARDED BY ORDER //

SECTION OFFICER

(Contd. Annexures...)

ANNEXURE –I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI. BAGGU JAGANNADHA RAO, S/o SRIRAMULU, 55 YEARS, WORKED AS AGRICULTURE EXTENSION OFFICER IN THE O/o MANDAL AGRICULTURE OFFICER, CHODAVARAM MANDAL, VISAKHAPATNAM DISTRICT.

That Sri Baggu Jagannadha Rao S/o Sriramulu, 55 Yrs, worked as Agriculture Extension Officer, in the O/o Mandal Agriculture Officer, Chodavaram Mandal, Visakhapatnam District (here in after referred to as Government Servant) while functioning as such during the period between 30.12.2005 to 26.04.2019 (till the date of trap) committed grave misconduct in as much as:

ARTICLE-I:

That the Government Servant in misuse of his official position accepted bribe amount of Rs.19,0000/- from Sri Pasumarthi Santhosh Ramu @ Santhosh (complainant) at the behest of Smt. Karri Uma Maheswari, 54 Yrs, Agriculture Officer, Chodavaram Mandal, Visakhapatnam District, as illegal gratification other than legal remuneration for doing an official favour i.e., for processing and forwarding of the application dated 19.04.2019 of Sri Pasumarthi Jagadeesh, Proprietor of M/s. Pasumathi Adinarayana & sons shop at Chodavaram for renewal of license of his feriliazer shop and also as reward for already issued permanent licenses to pesticide shops viz; M/s. Pasumathi Adinaraya & sons and M/s. Sithrama Traders, on 26.04.2019 at 13:20 hrs in the office of Mandal Agriculture Officer, Chodavaram Mandal, Visakhapatnam situated in the O/o Assistant Director of Agriculture, Co-operative Colony, Chodavaram, Visakhapatnam District.

Thus, the Government Servant Sri Baggu Jagannadha Rao S/o Sriramulu, 55 Yrs, worked as Agriculture Extension Officer, O/o Mandal Agriculture Officer, Chodavaram Mandal, Visakhapatnam District by his above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, and behaved in a manner unbecoming of a Government Servant and brought down the prestige of the Government and thereby violated/contravened Rule 3(1) & Rule 3(2) of A.P.Civil Services (Conduct) Rules 1964.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(P.T.O)

ANNEXURE –II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI BAGGU JAGANNADHA RAO S/o SRIRAMULU, 55 YEARS, WORKED AS AGRICULTURE EXTENSION OFFICER IN THE O/o MANDAL AGRICULTURE OFFICER, CHODAVARAM MANDAL, VISAKHAPATNAM DISTRICT.

Sri Baggu Jagannadha Rao S/o Sriramulu is a native of Anulupalem Village, Pakeer Sahebpeta, Chodavaram Mandal, Visakhapatnam District. His date of birth is 06.11.1966. He entered into government service on 16.03.1991 as VEO, Field Assistant. He worked as such at Eradapalli village, Paderu Mandal, Visakhaptnam District from 16.03.1991. Later, he was posted as VEO, Field Asst., Chodavaram and worked as such from 15.01.1993. Then, he was appointed as AEO (Special Grade) on 16.03.1999. Thereafter, he was promoted as AEO (Grade-II) and worked as such at P.S Peta Circle of Chodvaram Mandal from 30.12.2005 to till date of trap. He is due to retire on attaining the age of superannuation on 30.11.2028. He is here after referred to as Government Servant (G.S.).

CHARGE-I:

That the Government Servant in misuse of his official position accepted bribe amount of Rs.19,000/- from Sri Pasumathi Santhosh Ramu @ santhosh (Complainant) at the behest of Smt. Karri Uma Maheswari, 54 Yrs, Agriculture Officer, Chodavaram mandal, Visakhapatnam District, as illegal gratification other than legal remuneration for doing an official favour i.e., for processing and forwarding of the application dated 19.04.2019 of Sri Pasumarthi Jagadeesh, Proprietor of M/s. Pasumarthi Adinarayana & sons shop at Chodavaram for renewal of license of his fertilizer shop and also as a reward for already issued permanent licenses to pesticide shops viz; M/s. Pasumarthi Adinaryana & sons and M/s. Sitharama Traders.

FACTS AND EVIDENCE

That on 24.04.2019 at about 10:30 hrs Sri Pasumathi Santhosh Ramu @ Santhosh S/o Adinarayana, 31 Yrs, Peddabazar, Chodavaram, Visakhapatnam District came to the O/o the DSP, ACB, Vishakaatnam Range and presened a written report stating that the Government Servant Smt. Karri Uma Maheaswari, W/o R.Venkateswara Rao, 54 Yrs, Agriculture Officer, Chodavaram Mandal, Visakhapatnam District demanded him to pay a bribe amount of Rs.19,000/- for doing the official favour i.e., for processing and forwarding of the application dated 19.04.2019 of Sri Pasumathi Jagadeesh, Proprietor of M/s. Pasumarthi Adinarayana & sons shop at Chodavaram for renewal of license of his fertilizer shop and also as a reward for already issued permanent licenses to pesticide shops viz; M/s. Pasumarhti Adinaryana & sons and M/s. Sithrama Traders.

That after observing all legal formalities, the DSP, ACB, Visakhapatnam Range registered the complaint as a case in Cr.No.06/RCT-ACB-VSP/2019 u/s 7 (a) of Prevention of Corruption Act, 1988 (as amended in 2018) on 26.04.201 at 07:30 hrs and took up investigation.

On 26.04.2019, the DSP, ACB, Visakhapatnam Range secured the presence of two respectable mediators viz., 1) Smt. Maddukuri Suneetha Rani, W/o Karri Ajay Kumar, 50 years, Deputy Assistant Commissioner of State Tax Department and 2) Kum. Pragada Santhoshi Rupa, D/o P.Maheswara Rao, 24 years, Goods & Service Tax Officer of O/o Asst. Commissioner, State Tax, 1st floor, Vuda Udyog Bhavan, Siripuram Junction, Visakhapatnam and also secured the presence of the complainant and accompanying witness Sri Pasumarthi Kama Raju @ Kamesh.

The DSP, ACB, Visakhapatnam Range conducted Pre-trap proceedings on 26.04.2019 from 08.00 hours to 09.30 hours at his office, which was reduced into writing by the mediators as pre-trap proceedings incorporating the serial numbers of the currency notes, the demonstration of chemical tests and the instructions issued to the complaint, accompanying witness and the other members of the trap party.

On 26.04.2019 at 13:20 hrs, the Government Servant was successfully trapped by the ACB officials when he accepted the bribe amount of Rs.19,000/- from Sri Pasumarthi Santhosh Ramu @ Santhosh S/o Adinarayana on behest of Smt. K.Uma Maheswari, Agriculture Officer, Chodavaram Mandal, Visakhapatnam for doing the above said official favour. On being asked by the DSP, the Complainant stated that,

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after he left the trap party along with its uncle Sri Kamesh at about 11.45 hours, they went into the office room of Agricultural officer Smt. K.Uma Maheswari and on seeing them, she further demanded the bribe amount and when he offered the same, she asked him to hand over the said bribe amount to her subordinate Sri Jagannadha Rao, Agriculture Extension Officer (Government Servant), who went outside and will return to office at 13.00 hours. Then they met the DSP and the DSP instructed them to wait for the arrival of the Government Servant in the officer premises and give the bribe amount to him. Accordingly, they left the trap party at 12.45 hours and proceeded to the office. At about 13.15 hours, the Government Servant came to office. They met the Government Servant and informed that the Agricultural officer instructed him to meet him. On that, the Government Servant went into the room of Agricultural officer and came back immediately and took the bribe amount from him, counted with both hands and went back to the room of Smt. K.Uma Maheswari, Agricultural officer. After a few minutes he came to them and informed that, he handed over the said money to Smt. K.Uma Maheswari. Immediately, he gave pre-arranged signal to Sri K.Lakshmana Murthy, Inspector and immediately the trap party came to office, entered into the office room of Agricultural officer, and caught them. On being questioned by DSP, the accompanying witness Sri P.Kamaraju @ Kamesh corroborated the complainant in all material aspects. The chemical test was conducted on right hand fingers of Smt. K.Uma Maheswari, Agricultural Officer and yielded positive results. The trained currency notes were recovered from the 1st page of her diary which was available on her office table in front of her. The Serial numbers of the recovered currency notes were tallied with the serial numbers of the currency notes mentioned in the pre trap proceedings. The chemical test also conducted to the 1st page of said diary which came into contact with tainted currency notes and yielded positive results. Later chemical test was conducted on both hand fingers of Government Servant and yielded positive results. The DSP secured the resultant solutions into separate bottles and tainted currency notes and Diary-2019 seized under the cover of mediators report. The DSP also seized a sample of sodium carbonate powder used in the chemical test under the cover of mediators report.

On the request of the DSP, ACB, Smt. K. Uma Maheswari produced the following official favour file. The DSP, ACB perused the same in the presence of mediators.

1. A file consisting the original and Xerox copies of application dt.09.03.2019 of Proprietor M/s Pasumarthi Adinarayana & Sons, APTC, form-10, form/A2, letter of authorization to carry of business of selling of fertilizers etc., containing 1 to 28 sheets.

The DSP seized the above official favour file duly attested by mediators for the purpose further investigation.

Then the DSP secured the presence of the complainant and accompanying witness Sri P. Kama Raju @ Kamesh who are waiting outside and asked them to narrate what had happened after they left the trap party and their versions were incorporated by the mediators in the Post Trap Proceedings.

Then DSP questioned Smt. K. Uma Maheswari, Agricultural Officer as to what happened between her and the complainant, after explaining her about the allegations leveled against her in the FIR. She stated that she has been working as such since 02.03.2009. The complainant's uncles Sri Pasumarthi Kama Raju and Jagadeesh are running fertilizers cum pesticides shop in Chodavaram in the name of Pasumarthi Adinarayana & Sons and Sitharama Traders while P. Santhosh Ramu is working in the same shop. On 26.02.2019, they made an application through online for permanent licenses in the said shops and on 22.03.2019 they applied for the renewal of license for their shop licenses of M/s Pasumarthi Adinarayana & Sons. The permanent licenses were granted to the said shops. During the first week of April 2019, the complainant approached her for the said licenses, for which she requested them to provide furniture to their office and they agreed voluntarily to provide furniture and accordingly, on 26.04.2019 at about 11.45 hours, Sri P. Santhosh Ramu and his uncle Sri Kamesh met her at her chamber, for which she asked them to pay the amount to Government Servant in this regard. At about 13.15 hours, the Government Servant met her and she instructed him to meet Sri P. Santhosh Ramu and take the amount. Accordingly, the Government servant took the amount from Sri Santhosh Ramu and handed over the said cash of Rs.19,000/- to her and she received the said amount from the Government Servant and kept the same at the first page of her diary-2019. Later, ACB officials caught them.

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Then DSP questioned the Government Servant about the acceptance of bribe amount from the complainant, he stated that on 26.04.2019 at about 13.15 hours, he came to his office. At the entrance Sri Santhosh Ramu and his uncle Sri Kamesh of Pasumarthi Adinarayana & sons met him and informed that Smt. K Uma Maheswar, Agricultural Officer asked them to meet him. On that he met Smt. K. Uma Maheswar, Agricultural officer and she instructed him to receive the bribe amount of Rs.19,000/- from Sri Santhosh Ramu who is present in the office premises and give it to her. The Government Servant came out and took the amount from Sri Santhosh Ramu and handed over to Smt. K, Uma Maheswari, Agricultural officer and in the mean while ACB officials came to the room of Smt. K. Uma Maheswari, Agricultural Officer and caught them.

The DSP examined the following witnesses who were present at the office of Agricultural Officer, Chodavaram Mandal, Visakhapatnam District at the time of trap and conducted post trap proceedings in the presence of the mediators and the mediators incorporated their statements in detail in the post trap proceedings.

1. **Smt. Allanki Jyothi, Multipurpose Extension Officer (MPEO), O/o Mandal Agricultural officer, Chodavaram, Visakhapatnam District.**
2. **Kum. Rongali Tejasri, Multipurpose Extension Officer (MPEO), O/o Mandal Agricultural officer, Chodavaram, Visakhapatnam District.**

They stated that, they are working as such in the office room of Agricultural officer Smt. K.Uma Maheswari and on 26.04.2019 at about 11.45 hours while they are present in their respective seats, Sri P. Santhosh Ramu, a merchant fertilizers and pesticides of M/s Pasumarthi Adinarayana & Sons visited their office and met the Agricultural officer Smt. K. Uma Maheswari and went away. At about 13.15 hours, the Government Servant met the Agricultural Officer in her room and went outside the office room. Again, after about 5 minutes, the Government Servant again met the Agricultural Officer and they did not observe what had transpired between them, as they are busy with collecting the data relating to soil samples from the farmers. After few minutes, the ACB officials entered into the office chamber of Agricultural officer and surrounded her. Later, they came to know that the ACB officials trapped the Agricultural Officer and AEO when the Agriculture officer further demanded and accepted a bribe of Rs.19,000/- from P. Santhosh Ramu for issuing permanent pesticide licenses to their shops and renewal of their shop licence.

3. **Sri Ellapu Rama Apparao Srinivas s/o late Surya Rao, 49 years, Assistant Director of Agriculture (regular) FAC, Chodavaram, VSP.**

He stated about the procedure for obtaining licence and renewal for Fertilizer and permanent Pesticide Licence for shops and establishments. And he came to know the trap laid by the ACB officials against Smt. K. Uma Maheswari, Agriculture Officer, Chodavaram when she further demanded and accepted bribe of Rs.19,000/- through the Government servant from the complainant Sri Pasumarthi Santhosh and etc., facts.

4. **Sri Pasumarthi Jagadeesh @ Santhosh s/o late Rama Murthy, 52 years, Proprietor of Pasumarthi Adinarayana & Sons, Peda bazaar Veedhi, Chodavaram, Visakhapatnam District**.

He stated that, he and his brother Kamaraju are running pestode and feminizer shops in the name and styles of M/s Pasumarthi Adinarayana & Sons and M/s Sitharama Traders. His elder brother's son Santhosh Ramu (Complainant) is looking after the sales and Government office works as a Sales Executive to both the shops. On 26.02.2019 they applied through online for permanent license to sell pesticides in their both the shops. On 22.03.2019 they also applied for renewal of their fertilizer license. Later he came to know all happenings from his son and brother and also he knows about the trap laid by the ACB officers against the Smt. K. Uma Maheswari, Agriculture Officer, Chodavaram and etc., facts.

5. **Sri Achanta Mallikharjuna Rao S/o Chandrayya, Age 57 years, Joint Director of Agriculture, Visakhapatnam.**

He speaks that he furnished the procedure for issuing pesticide licence. And he came to know the trap laid by the ACB officials against Smt. K. Uma Maheswari, Agriculture Officer, Chodavaram when she further demanded and accepted bribe of Rs.19,000/- from the complainant Sri Pasumarthi Santhosh Ramu through the Government Servant and etc., facts.

(The above two witnesses were examined during the investigation)

During the course of investigation following documents were obtained.

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I. Certified copies indicating pending of official favour with Smt. K.Uma Maheswari, Agricultural Officer, furnished by Sri ERA Srinivas, AD, Agriculture, Chodavaram, Visakhapatnam District during the course of investigation.

i) Application dated 19-04-2019 filed for renewal of fertilizer license of M/s. Pasumarthi Adinarayana & Sons, Chodavaram which is pending with Smt. K.Uma Maheswari, Agricultural Officer and speaks about pending of official favour with Smt. K.Uma Maheswari, Agricultural Officer till the day of trap.

ii) Application dated:22-3-2019 filed by Sri Pasumarthi Jagadeesh for renewal of fertilizer license of his shop of M/s.Pasumarthi Adinarayana & Sons, Chodavaram which was rejected on 17.04.2019 by Smt. K.Uma Maheswari, Agricultural Officer without assigning proper reasons.

iii) Application dated 26-2-2019 filed for issuing of permanent pesticide licenses to M/s. Pasumarthi Adinarayana & Sons and M/s. Sitharama Traders, Chodavaram belonging to proprietors Sri Pasumarthi Jagadeesh & Sri P. Kamaraju @ Kamesh respectively.

II. Reply In Letter File No. AGRI-EST/287/2019-SA(E1)-AGRLVSKP Dated 04.06.2019, O/o Joint Director of Agriculture, Visakhapatnam

This document speaks about the Service particulars and Job Charts of Smt. K.Uma Maheswari, Agricultural Officer and the Government Servant.

Hence the charge against the Government Servant Sri Baggu Jagannadharao S/o Sriramulu that he accepted a bribe of Rs.19,000/- from the complainant Sri Pasumarhi Santhosh Ramu @ Santhosh on behest of Smt. K. Uma Maheswari W/o R.Venkareswarao for doing official favour, is held substantiated.

Thus, Government Servant Sri Baggu Jagannadharao S/o Sriramulu by his above mentioned acts has exhibited a lack of integrity, devotion to duty and conduct unbecoming of a Government servant and brought down the prestige of the Government and thereby violated/contravened Rule 3(1) & Rule 3 (2) of A.P.Civil Services (Conduct) Rules 1964.

Thus, the Government Servant Sri Baggu Jagannadharao S/o Sriramulu, 55 Yrs, worked as Agriculture Extension Officer in the O/o Mandal Agriculture Officer, Chodavaram Mandal situated in the O/o Assistant Director of Agriculture, Chodavaram Mandal, Visakhapatnam District rendered himself for regular departmental enquiry for major Penalty U/R 20 of A.P.Civil Services (CCA) Rules, 1991.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGE FARMED AGAINST SRI. BAGGU JAGANNADHA RAO, S/o SRIRAMULU, 55 YEARS, WORKED AS AGRICULTURE EXTENSION OFFICER IN THE O/o MANDAL AGRICULTURE OFFICER, CHODAVARAM MANDAL, VISAKHAPATNAM DISTRICT ARE PROPOSED TO BE SUSTAINED.

Following is the documentary evidence available to substantiate the allegation.

1.	**Copy of Complaint dated 24-04-2019 given tries the complainant.** It reveals the facts of the demand of bribe amount of Rs.19000/- by Smt.K. Uma Maheswari, Agricultural Officer from the complainant, Sri Pasumarthi Santhosh Ramu @ Santhosh for processing of application dated 19.04.2019 filed by Sri Pasumarthi Jagadeesh for renewal of fertilizer cense in respect of his shop in the name and style of M/s Pasumarthi Adinarayana & Sons, Chodavaram which is pending with Smt.K. Uma Maheswari, Agricultural Officer and as a reward for already issued Permanent pesticide Licenses of M/s Pasumarthi Adinarayana & Sons and M/s Sitharama Traders, Chodavaram.
2.	**Copy of F.I.R in Cr.No. 06/RCT-ACB-VSP/2019, dt.26.04.2019.** It reveals that a report was received from the complainant with regard to demand of bribe by the Smt.K. Uma Maheswari, Agricultural Officer and registration of the case against Smt.K. Uma Maheswari, Agricultural Officer 1.
3.	**Copy of Pre-Trap Proceedings:** It reveals the pre-trap happenings, dated. 26-04-2019
4.	**Copy of Post-Trap Proceedings**: It reveals the post-trap happenings at the O/o Assistant Director, Agriculture, Chodavaram, Visakhapatnam District in which the office of Mandal Agriculture Officer is also located, dated, 26-04-2019.
5.	**Copy of Made up file:** Seized on the day of trap as produced by Smt.K. Uma Maheswari, Agricultural Officer. 1) Original application dated 22.03.2019 filed by Sri Pasumarthi Jagadeesh for renewal of fertilizer license of his shop of M/s Pasumarthi Adinarayana & Sons, Chodavaram and its enclosures i.e., representation dated 09.03.2019 of Proprietor M/s Pasumarthy Adinarayana & Sons, APTC form-10, form/A2; letter of authorization to carry out the business of selling of fertilizers etc., containing 1 to 28 sheets.
6.	**Copy of Certified copies indicating pending of official favour with Smt.K. Uma Maheswari, Agricultural Officer**: Furnished by Sri ERA Srinivas, AD, Agriculture, Chodavaram, Visakhapatnam District during the course of investigation. i. Application dated 19-04-2019 filed for renewal of fertilizer license of M/s Pasumarthi Adinarayana & Sons, Chodavaram which is pending with Government Servant and speaks about pending of official favour with Smt.K. Uma Maheswari, Agricultural Officer till the day of trap. ii. Application Dated 22-3-2019 filed by Sri Pasumarthi Jagadeesh for renewal of fertilizer license of his shop of M/s Pasumarthi Adinarayana & Sons, Chodavaram which was rejected on 17.04.2019 by the Smt.K. Uma Maheswari, Agricultural Officer without assigning proper reasons. iii. Application dated 26-2-2019 filed for issuing of permanent pesticide licenses to M/s Pasumarthi Adinarayana & Sons and M/s Sitharama Traders, Chodavaram belonging to proprietors Sri Pasumarthi Jagadeesh & Sri Pasumarthi Kamaraju @ Kamesh, respectively.
7.	**Copy of Reply in Letter in File No. AGRI-EST/287/2019-SA(E1)- AGRLVSKP dated 04.06.2019 O/o Joint Director of Agriculture, Visakhapatnam:** The Document would speak about the Service particulars and Job Charts of Smt.K. Uma Maheswari, Agricultural Officer and the Government Servant
8.	**Copy of Statement of the complainant recorded U/s 164 Cr.P.C:** It corroborates the facts of the complaint, pre-trap & post-trap proceedings.
9.	**Copy of statement of the accompanying witness recorded U/s 164 Cr.P.C:** It corroborates the facts of the complaint, pre-trap & post-trap proceedings.
10.	**Copy of Rough Sketch of the Scene of offence:** This document speaks about the scene of offence where the Smt.K. Uma Maheswari, Agricultural Officer demanded the bribe amount and accepted the bribe from the complainant through Government servant.
11.	Any other documents to be filed at the time of enquiry.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
PRINCIPAL SECRETARY TO GOVERNMENT

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SECTION OFFICER

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM ARTICLE OF CHARGE FARMED AGAINST SRI. BAGGU JAGANNADHA RAO, S/o SRIRAMULU, 55 YEARS, WORKED AS AGRICULTURE EXTENSION OFFICER IN THE O/o MANDAL AGRICULTURE OFFICER, CHODAVARAM MANDAL, VISAKHAPATNAM DISTRICT ARE PROPOSED TO BE SUSTAINED.

Following is the oral evidence available to substantiate the allegation

1.	**Sri Pasumarthi Santhosh Ramu @ Santhosh, S/o late Adinarayana, Sales Executive, M/s Pasumarthi Adinarayana & Sons and M/s Sitarama Traders, (Pesticide & Fertilizer business) Chodavaram, Visakhapatnam District:** He is the complainant and states about the contents of his complaint dt.24.04.2019 submitted to the DSP, ACB, Visakhapatnam range and also speaks about the contents of mediators report I & II dated 26-04-2019 to the extent concerning to him. He further stated that in the complaint he mistakenly mentioned the name of accused officer as Smt. Uma Devi, but later he came to know that her name is Smt K. Uma Maheswari. His statement was recorded u/s 164 Cr.P.C by the Hon'ble 3rd ACMMC, Gajuwaka, Visakhapatnam on 15-06-2019 and he deposed reiterating the contents of complaint and his participation in pre-trap and post-trap proceedings.
2.	**Sri Pasumarthy Kama Raju @ Kamesh S/o late Rama Murthy, 56 years, Proprietor of Sitha Rama Traders, Pedda bazaar veedhi, Chodavaram, Visakhapatnam District:** He stated that he is the owner of the shop M/s Sitarama traders and paternal uncle to the complainant and he accompanied the complainant on the day of the trap i.e., 26.04.2019. He also speaks about the contents of mediators report I & II dated 26-04-2019 to the extent concerning to him in all material facts. His statement was recorded u/s 164 Cr.P.C by the Principal Jr. Civil Judge court cum Metropolitan Magistrate, Visakhapatnam on 06-07-2019 and he deposed reiterating the contents of his statement when he was examined by DSP, ACB.
3.	**Sri Pasumarthy Jagadeesh @ Santosh S/o late Rama Murthy, 52 years, Proprietor of Pasumarthi Adinarayana & Sons, Pedda bazaar veedhi, Chodavaram, Visakhapatnam District:** He stated that, he and his brother Kamaraju are running pesticide and fertilizer shops in the name and styles of M/s. Pasumarthi Adinarayana & Sons and M/s. Sitharama Traders. His elder brother's son Santhosh Ramu (Complainant) is looking after the sales and Government office works as a Sales Executive to both the shops. On 26.02.2019 they applied through online for permanent license to sell pesticides in their both the shops. On 22.03.2019 they also applied for renewal of their fertilizer license. Later he came to know all happenings from his son and brother and also he knows about the trap laid by the ACB officers against the Smt. K. Uma Maheswari, Agriculture Officer, Chodavaram and etc., facts.
4.	**Sri Ellapu Rama Apparao Srinivas S/o late Surya Rao, 49 years, Assistant Director of Agriculture (Regular) FAC, Chodavaram, Visakhapatnam:** He stated about the procedure for obtaining licence and renewal for Fertilizer and permanent Pesticide Licence for shops and establishments. And he came to know the trap laid by the ACB officials against Smt. K. Uma Maheswari, Agriculture Officer, Chodavaram when she further demanded and accepted bribe of Rs.19,000/- through the government servant from the complainant Sri Pasumarthi Santosh and etc. facts.
5.	**Sri Achanta Mallikharjuna Rao S/o Chandrayya, Age 57 years, Joint Director of Agriculture, Visakhapatnam:** He speaks that he furnished the procedure for issuing pesticide licence. And he came to know the trap laid by the ACB officials against Smt. K. Uma Maheswari, Agriculture Officer, Chodavaram when she further demanded and accepted bribe of Rs.19,000/- from the complainant Sri Pasumarthi Santhosh Ramu through the Government Servant and etc., facts.
6.	**Smt. Allanki Jyothi, Multipurpose Extension Officer (MPEO), O/o Mandal Agricultural officer, Chodavaram, Visakhapatnam District:**
7.	**Kum. Rongali Tejasri, Multipurpose Extension Officer (MPEO), O/o Mandal Agricultural Officer, Chodavaram, Visakhapatnam District:** They stated that, they are working as such in the office room of Agricultural officer Smt. KUma Maheswari and on 26.04.2019 at about 11.45 hours while they are present in their respective seats, Sri P.Santhosh Ramu, a merchant fertilizers and pesticides of M/s Pasumarthi Adinarayana & Sons visited their office and met the Agricultural Officer Smt. K. Uma Maheswari and went away. At about 13.15 hours, the Government Servant met the Agricultural Officer in her room and went outside the office room. Again, after about 5 minutes, the Government servant again met the Agricultural Officer and they did not observe what had transpired between them, as they are busy with collecting the data relating to soil samples from the farmers. After few minutes, the ACB officials entered into the office chamber of Agricultural officer and surrounded Government Servant. Later, they came to know that the ACB officials trapped the Agricultural Officer and the Government Servant when the Agricultural Officer further demanded and accepted a bribe of Rs.19,000/- from P.Santosh Ramu for issuing permanent pesticide licences to their shops and renewal of their shop licence.

(P.T.O)

8.	**Smt. Maddukuri Sunitha Rani, W/o Kari Ajaya Kumar, 50 years, Deputy Assistant Commissioner of State Tax Department, office of Asst. Commissioner, State Tax, VUDA Udyog Bhavan, Siripuram, Visakhapatnam:** She is the 1st mediator and she speaks about her participation in Pre & Post-trap proceedings, contents of the Pre & Post trap proceedings dated 26-04-2019 to the extent concerning to her which proves the acceptance of bribe amount by the Smt.K. Uma Maheswari, Agricultural Officer and the Government Servant from the complainant.
9.	**Smt. Pragada Santhoshi Rupa, D/o P.Maheswara Rao, 24 years, Goods & Service Tax officer, O/o Asst. Commissioner, State Tax, 1st floor, VUDA Udyog Bhavan, Siripuram, Visakhapatnam:** She is the 2nd mediator and she speaks about her participation in Pre & Post-trap proceedings, contents of the Pre Post trap proceedings dated 26-04-2019 to the extent concerning to her which proves the acceptance of bribe amount by the Smt.K. Uma Maheswari, Agricultural Officer and the Government Servant from the complainant.
10.	**Smt. K.Saradambha, Principal Junior Civil Judge-Cum-Metropolita Magistrate, Visakhapatnam:** She speaks about the recording 164 Cr.P.C statements of Sri Pasumarthi Kamaraju @ Kamesh and etc facts.
11.	**Hon'ble Judicial first class magistrate and III ACMM Court, Gajuwaka, Visakhapatnam:** He speaks about the recording 164 Cr.P.C statements of Pasumarthi Santosh Ramu and etc facts.
12.	**Sri K.Rangaraju, Deputy Superintendent of Police, ACB, Visakhapatnam:** He speaks about receiving of complaint and got verified the genuineness of report and trap lying and investigation on the day of trap and etc., fats.
13.	**Sri K. Lakshmanamurthy, Inspector of Police, ACB, Visakhapatnam:** He speaks about his part of the investigation and etc. facts.
14.	Any other witness to be mentioned at the time of enquiry.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER